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March 13, 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Conf. No. 5102
Art Unit: 1631
Examiner: M.L. Borin

Re: U.S. Patent Application Serial No. 09/696,664 filed October 25, 2000
Inventors: Mark S. ABAD *et al.*
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants
Atty. Dkt.: 16517.316 (38-21(51721)B/US)

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Request for Entry of Amendment and Withdrawal of Improper Holding of Abandonment;
2. Copy of Amendment filed January 6, 2006;
3. Copy of Express Abandonment filed January 17, 2006;
4. Supplemental Amendment; and
5. Return postcard.

In the event that extensions of time are necessary to prevent abandonment of this patent application prior to resolution of the Request for Entry of Amendment and Withdrawal of Improper Holding of Abandonment, then such extensions of time are hereby petitioned. Appellants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docketing number 16517.316.

Sincerely,

David R. Marsh (Reg. No. 41,408)
(by Thomas E. Holsten, Reg. No. 46,098)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark S. ABAD *et al.*

Appln. No.: 09/696,664

Filed: October 25, 2000

For: Nucleic Acid Molecules and Other Molecules Associated with Plants



Confirmation No.: 5102

Art Unit: 1631

Examiner: Michael L. Borin

Atty. Docket: 16517.316

**Request for Entry of Amendment and
Withdrawal of Improper Holding of Abandonment**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On January 6, 2006, Applicants filed an Amendment in the above-identified application that updated the "Cross-Reference to Related Application" section of the specification. On January 17, 2006, Applicants filed a conditional Express Abandonment specifically stating that the Express Abandonment was desired to occur "upon entry of the Amendment filed January 6, 2006." Copies of both of these documents are enclosed.

As can be seen from the Express Abandonment, Applicants' clearly requested abandonment of the above-identified application only upon entry of the January 6, 2006 Amendment. As such, Applicants respectfully request that the Amendment filed January 6, 2006, be entered and that notification of entry of the Amendment be forwarded to the undersigned. In addition, applicants respectfully request that the Notice of Abandonment mailed February 27, 2006, be withdrawn.

It is noted that typographical errors exist in the Amendment filed January 6, 2006. A Supplemental Amendment is being filed herewith to correct these inadvertent errors. Upon receipt of the notification of entry of the January 6, 2006 Amendment, and the Supplemental Amendment filed herewith, Applicants will resubmit an Express Abandonment for this application.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below. The undersigned is an attorney of record and therefore has authority to expressly abandon the above-captioned U.S. application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David R. Marsh".

David R. Marsh, Reg. No. 41,408
(by Thomas E. Holsten, Reg. No. 46,098)

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